

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 7-21, 24-25, and 32-126 are cancelled. Claims 1-6, 22-23, and 26-31 remain in this application and are submitted for the Examiner's reconsideration.

In the Office Action, claims 1-4, 22-23, and 26-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bunn (U.S. Patent No. 6,240,365) in view of Rothert (U.S. Patent No. 7,141,610), and Murakami (U.S. Patent No. 7,181,409), and Dickerson (U.S. Patent Application Publication No. 2001/0037174), and claims 5-6 and 30-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bunn in view of Rothert, Murakami, and Dickerson and further in view of the article titled "Rental Car Revelations" (Pittsburgh Post-Gazette, May 14, 2000, pg. 2). Applicants submit that the claims are patentably distinguishable over the relied on sections of the references.

As an example, claim 1 calls for:

a movable body management apparatus operable to manage said plurality of movable body apparatuses, the movable body management apparatus including:

...
notification means for notifying the mobile communication terminal of a position of an available one of the plurality of movable body apparatuses nearby the current position of the mobile communication terminal and for providing the mobile communication terminal with identification information associated with the available movable body apparatus[.]

(Emphasis added.) Neither the relied on sections of Bunn, the relied on sections of Rothert, the relied-on sections of Murakami, nor the relied-on sections of Dickerson disclose or suggest a movable body management apparatus that provides a mobile communication terminal with identification information

associated with an available movable body apparatus.

The Examiner asserts that Dickerson teaches such features and relies on paragraphs [0016] and [0102] of Dickerson. However, such sections simply describe that a central assigning system determines whether a user's request is complete, and if complete, the system matches the request to existing services located at or near pickup sites, determines alternatives to the request if precise matches cannot be made, and notifies the user of matches and/or alternatives. (See ¶ [0102] 11.1-14.) The section is not concerned with notifying a user of identification information associated with an available movable body apparatus.

The relied on sections of Dickerson also describe that the central processing system can determine methods of transportation and routes based on multiple parameters received from a passenger or in combination with transit parameters such as vehicle availability, traffic conditions, travel conditions such as weather conditions, vehicle location, driver availability, vehicle status, and driver status. (See ¶ [0102] 11.29-36.) This section of the reference is not concerned with transmit parameters as the Examiner erroneously asserts.

The relied on sections of Dickerson further describe that if a passenger requests a rental vehicle, the central assigning system can determine the passenger's assignment based on location of the passenger and vehicle, availability of a rental vehicle, type of vehicle requested, cost, and other parameters that the passenger has indicated. (See ¶ [0102] 11.57-61.) However, such section of Dickerson is not at all concerned with providing a mobile communication terminal with such parameters. Hence, the relied on sections of Dickerson do not disclose or suggest the features recited in the above excerpt of claim 1.

Neither the relied-on sections of Bunn, the relied-on

sections of Rothert, nor the relied-on sections of Murakami overcome the deficiencies of the relied-on sections of Dickerson.

It follows, for at least the above reasons, that neither the relied-on sections of Bunn, the relied-on sections of Rothert, the relied-on sections of Murakami, nor the relied-on sections of Dickerson, whether taken alone or in combination, disclose or suggest the combination defined in claim 1. Therefore, claim 1 is patentably distinct and unobvious over the cited references.

Independent claims 22 and 26 each call for features similar to those set out in the above excerpt of claim 1. Therefore, each of claims 22 and 26 is patentably distinct and unobvious over the relied-on sections of Bunn, Rothert, Murakami, and Dickerson for at least the same reasons.

Claims 2-6 depend from claim 1, claim 23 depends from claim 22, and claims 27-31 depend from claim 26. Therefore, each of these claims is distinguishable over the relied-on sections of the art for at least the same reasons.

Further regarding claims 5-6 and 30-31, the relied-on sections of "Rental Car Revelations" do not overcome the deficiencies of the relied-on sections of Bunn, Rothert, Murakami, and Dickerson.

Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. §§ 103(a).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in

order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: January 21, 2009

Respectfully submitted,

By 

Lawrence E. Russ

Registration No.: 35,342

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicants